

REDEVELOPMENT PLAN FOR THE
EAST FULLERTON REDEVELOPMENT
PROJECT AREA

ADOPTED DECEMBER 3, 1974

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1. Introduction

The Redevelopment Plan for the East Fullerton Redevelopment Project has been prepared as a result of the pressing need to provide public services and facilities not available now. This need has arisen in the last few years as private development has taken place at an extremely fast pace--a pace which could not be kept by the City of Fullerton in provision of public facilities.

The redevelopment program is being undertaken at this time because of the unique opportunity being presented now as much private development is occurring during the next one to two years which will provide the funding resources to accomplish the objectives set forth by the City.

Although the nature of this redevelopment project is one of complementing the City's efforts in the field of capital improvements, the private sector will have a major role in the implementation of this project through the construction and modernization of private development. Only where it becomes essential for assembling suitable parcels of land for private development will the Redevelopment Agency assist in this field.

The Redevelopment Plan for the East Fullerton Redevelopment Project has been prepared by the Fullerton Redevelopment Agency pursuant to the Community Redevelopment Law of the State of California, the California Constitution and all applicable local laws and ordinances.

2. Project Area Boundaries and Boundary Description

The boundaries of the East Fullerton Redevelopment Project (Project Area) are indicated in Figure 1. Generally the Project Area is bounded by:

1. State College Boulevard on the west;
2. Rolling Hills Drive (extended) on the north;
3. The Orange Freeway, Sapphire Road and Placentia Avenue on the east;
4. Chapman Avenue on the south.

East Fullerton Redevelopment Project

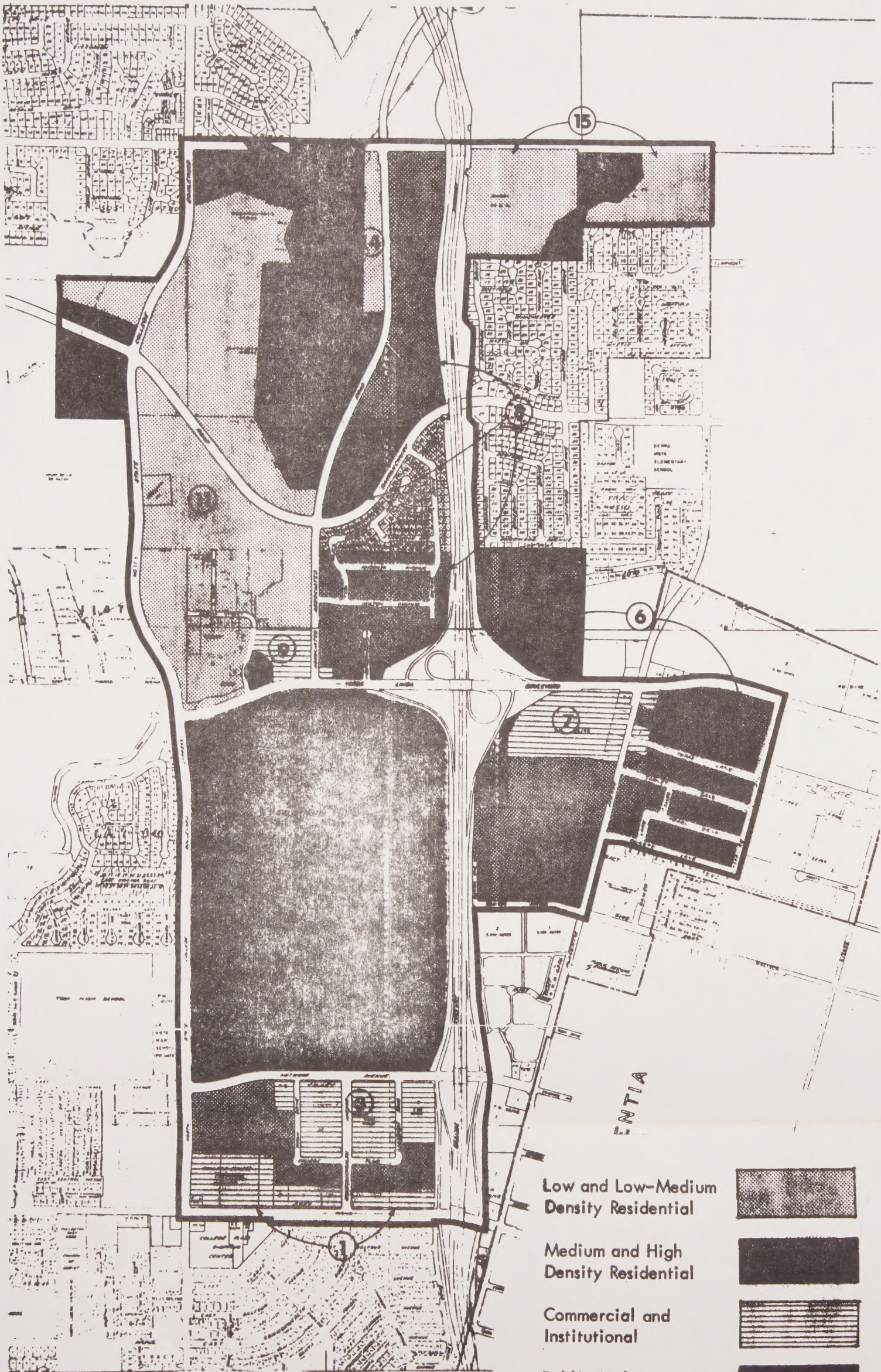
FIGURE 1 -- PROJECT AREA BOUNDARIES




0 1000 2000 feet

East Fullerton Redevelopment Project

FIGURE 2 -- PROPOSED LAND USES





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The legal description of the East Fullerton Redevelopment Project is as follows:

"All those portions of Sections 13, 14, 23, 24, 25, 26, 35, and 36, Township 3 South, Range 10 West, and Sections 18, 19 and 30, Township 3 South, Range 9 West, San Bernardino Meridian, in the State of California, County of Orange, City of Fullerton, more particularly described as follows:

Beginning at the intersection of the northerly right of way line of Rolling Hills Drive with the westerly right of way line of North State College Boulevard; thence, along said northerly right of way line of Rolling Hills Drive and its easterly prolongation, Easterly to its intersection with the northerly prolongation of the easterly right of way line of Placentia Avenue; thence, along said easterly right of way line of Placentia Avenue and its northerly prolongation, Southerly to its intersection with the easterly prolongation of the northerly boundary of Tract No. 7433; thence, along said northerly boundaries of Tract Nos. 7209 and 7433 and its easterly prolongation, Westerly to the northwest corner of said Tract No. 7209; thence, along the westerly boundary of said Tract No. 7209, Southerly to the northeast corner of Tract No. 4564; thence, along the northerly boundary of Tract No. 4564, Westerly to the northwest corner of said Tract, said point being in the easterly right of way line of the Orange Freeway; thence, along said easterly right of way line and the westerly boundaries of Tract Nos. 4564 and 3621, Southerly to the southwest corner of said Tract No. 3621; thence, along the southerly boundary of said Tract No. 3621, Easterly to the southeast corner of said Tract, said point being in the common boundary of the Cities of Fullerton and Placentia as same existed August 15, 1974; thence, along said common boundary, Southerly to a point in the northerly right of way line of Yorba Linda Boulevard; thence, along said northerly right of way line, Easterly to its intersection with the northerly prolongation of the easterly right of way line of Sapphire Road;

thence, along said easterly right of way line of Sapphire Road and its northerly and southerly prolongations, Southerly to its intersection with the easterly prolongation of the southerly boundary of Tract No. 5190; thence, along said southerly boundary of Tract No. 5190 and its easterly prolongation, Westerly to a point in the easterly right of way line of Placentia Avenue; thence, along said easterly right of way line, Southerly to a point in the southerly right of way line of Madison Avenue; thence, along said southerly right of way line, Westerly to a point in aforesaid Westerly right of way line of the Orange Freeway; thence, along said westerly right of way line, Southerly to a point in the southerly right of way line of East Chapman Avenue; thence, along said southerly right of way line, Westerly to a point in aforesaid westerly right of way line of North State College Boulevard; thence, along said westerly right of way line, Northerly to a point in the south line of the Northeast quarter of Section 23; thence, along last said south line, Westerly 700.00 feet; thence, parallel with the east line of said Section 23, Northerly 1320 feet more or less to a point in the south line of the North half of said Northeast quarter of Section 23; thence, along last said south line, Easterly to a point in aforesaid westerly right of way line of North State College Boulevard; thence, along said westerly right of way line, Northerly to the point of beginning."

3. Neighborhood Element

There are approximately 3,550 dwelling units in the Project Area. Of these, 399 are single-family homes and 3251 are apartment or condominium units. These residential developments account for a population of approximately 8,596. Residentially, the Project Area can be characterized as having three neighborhoods--one along Almira Street and Moody Avenue, another along Associated Road west of the Orange Freeway, and the last made up primarily of apartments and condominiums east of the State University.

3.1 Relocation

Relocation from some residential units may be required in assembling parcels of land for commercial and public uses. Such relocation, if necessary, should not have overly deleterious effects on such residents as the Agency will provide for suitable replacement housing for persons so relocated in neighborhoods of at least equal desirability. No impact on the overall housing market is anticipated.

3.2 Traffic Circulation

Improvement of the traffic circulation pattern will be one of the major effects of the East Fullerton Redevelopment Project. Street widenings, new access points to major focal points such as Cal State University and the Orange Freeway, signalization of major intersections, and improvements to storm drainage facilities will all facilitate circulation in the Project Area.

3.3 Availability of Community Facilities and Services

Improved traffic circulation will permit greater access to the services within and without the Project Area. The development of new commercial uses will create convenient and additional shopping and services for both the Project Area and the City of Fullerton, and proposed park facilities will add needed park and playground areas.

3.4 Effects on the School Programs

The implementation of the provisions of the East Fullerton Redevelopment Project will not add to the school age population within the Project Area. Areas planned for residential development have been approved or already developed as of the writing of this Redevelopment Plan.

The major impact on the affected school districts will be in the loss of new tax revenues which will be captured by the Redevelopment Agency as tax increment funding for this Redevelopment Program.

3.5 Other Matters Affecting the Physical and Social Quality of the Neighborhood

To the extent that portions of the Project Area are underdeveloped and improvement projects are currently under construction or committed, change and development are going to come in the Project Area notwithstanding the adoption of a redevelopment plan for the area. The adoption of a redevelopment plan and its implementation by the Agency, in cooperation with other entities, including the Project Area Committee, are means of assuring community control of the manner in which the inevitable changes will affect the physical and social quality of the neighborhood.

3.6 Community Participation after Adoption

Interested community groups and agencies shall be represented in the decision-making process related to amending this Plan.

4. Development Guidelines

Redevelopment activities in the Project Area will be directed toward achieving the objective of providing those public facilities now lacking in the Project Area, as well as assisting the private sector in utilizing and re-utilizing property within the Project Area.

4.1 Land Uses

Figure 2 indicates the proposed land uses in general terms within the Project Area. Also shown are proposed rights-of-way. Included in the land uses are commercial and residential development and public and private institutions and open space.

Commercial Use: Areas 1, 3, 7, and 9 shown on Figure 2 may be developed for commercial uses including, but not limited to, office, retail, service, hotel, motor hotel, entertainment, including eating and drinking establishments and theaters, and private institutions such as the Los Angeles College of Optometry currently at Associated Road and Yorba Linda Boulevard.

Residential Use: Areas 2, 6 and 8 may be or have already been developed

for medium and high density residential uses. These developments may be either rental units or condominium units. It is anticipated that a wide residential market will be served by these developments including housing for students at the various colleges and university. The maximum density in the medium density areas shall be 27 dwelling units per acre while there shall be no stipulated maximum density in the high density areas. Areas 11, 14 and 15 have been designated for low and low-medium density residential development, including standard single-family homes and clustered units in planned unit developments. The maximum density in these areas shall be 8 dwelling units per acre.

Public Use: Area 4 shown on Figure 2 is the Cal State University Campus. Area 13 is the Fullerton Dam Flood Control Facility, which is currently being developed as the Craig Regional Park. Areas 5, 12 and 15 are designated as future open spaces to be developed by the City of Fullerton. Area 10 is the site of Fire Station No. 5.

4.2 Rights-of-way/Circulation

As indicated in Figure 2, the circulation network within the Project Area will include:

1. Orange Freeway
2. State College Boulevard - Major Arterial
3. Bastanchury Road - Major Arterial
4. Chapman Avenue - Major Arterial
5. Nutwood Avenue - Primary Arterial
6. Yorba Linda Boulevard - Primary Arterial
7. Placentia Avenue - Secondary Collector
8. Associated Road - Secondary Collector
9. Madison Avenue - Local Collector

Additional streets within the Project Area may be provided, and selected

streets and alleys will be widened, altered, abandoned, realigned or closed to ensure proper circulation throughout the Project Area. Special consideration will be given to the major activity nodes such as the University and other colleges and the interface situations between the Orange Freeway and traffic generated by these activities.

4.3 Standards for Development

Standards which developers of property within the Project Area must meet include the provisions of the Fullerton Zoning Ordinance, the Fullerton Building Code and the Health and Safety Code of the State of California. Zoning recommended for the Project Area includes C-1, C-2 and C-3 Commercial; O-P Office-Professional; R-1, PRD, R-3 and R-5 Residential; O-G Oil and Gas.

Except as inconsistent with this Plan, all requirements of the City's zoning ordinance as it now exists, or is hereafter amended, shall apply to development.

Additional standards may be indicated for particular parcels as part of redevelopment disposition agreements or owner participation agreements.

New Construction

All new construction shall comply with all applicable State and local laws in effect from time to time including, without limitations, the Building, Electrical, Heating, and Ventilating, Housing and Plumbing Codes of the City of Fullerton.

Existing Uses

The Agency is authorized to permit an existing use to remain in an existing building in good condition, which does not conform to the provisions of this Plan, provided that such use is generally compatible with the developments and uses in the Project Area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as are necessary to protect the development and use of the Project Area.

General Development Standards

1. Through the use of the Community Improvement District Zone (CID), described in Section 7.6, the Agency shall establish setback and lot area requirements for all new development within the Project Area which may exceed the requirements of the City's zoning ordinance.
2. The Agency shall require that, as feasible, adequate landscaping and screening be provided for each use to create buffers between those areas designated for different uses. All outdoor storage of materials or equipment shall be enclosed or screened by walls, landscaping or other enclosure to the extent and in the manner required by the Agency.
3. The approximate amount of open spaces to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, the public grounds, the space around buildings, and other outdoor areas not permitted to be covered by buildings. Landscaping plans shall be included among those documents approved under the CID zone to ensure optimum use of living plant material.
4. In all areas, sufficient space shall be maintained between buildings to provide adequate light, air and privacy.
5. Protruding, overhanging, blinking, flashing, or animated signs shall not be permitted in the Project Area. No billboards, pennants, bunting, or similar devices for advertising for commercial display shall be permitted. The Agency shall permit only those signs necessary for identification of buildings, premises, and uses. Design of all signs shall be submitted to the Agency for review and approval before erection.
6. The Agency shall require that all utilities be placed underground when physically and economically feasible, or when not feasible, all above ground utilities shall be placed at the rear of parcels.

Design for Development

Within the limits, restrictions, and controls established in the Plan, the Agency is authorized to establish heights of buildings, land coverage, design criteria, traffic circulations, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area.

No new improvement shall be constructed and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated except in accordance with architectural, landscape, and site plans submitted to and approved in writing by the Agency as stipulated in the CID zone. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan.

Variations

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions and controls established by the Plan. In order to permit such variation, the Agency must determine that:

1. The application of certain provisions of the Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Plan.
2. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions and controls.
3. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area.

4. Permitting a variance will not be contrary to the objectives of the Plan. No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public health, safety or welfare, and to assure compliance with the purposes of the Plan.

Incompatible Uses

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors would be incompatible with the surrounding areas or structures shall be permitted in any part of the Project Area.

Resubdivision of Parcels

No parcel in the Project Area, including any parcel retained by a conforming owner or participant, shall be resubdivided without the approval of the Agency.

4.4 Possible Projects within Project Area

Figure 3 indicates, among others, those programs which may be undertaken by the Redevelopment Agency. These programs are primarily of a public nature and as such can be ascertained at this time. It should be noted that these are not the only programs to be undertaken in this Project Area.

5. Relocation

In implementing the Redevelopment Plan, the Agency will attempt to minimize relocation needs. However, when the relocation of a business concern, family or other person or concern is necessary, the Agency shall:

1. Assist in finding other suitable locations; and
2. Make relocation payments.

5.1 Relocation Advisory Assistance

Relocation advisory assistance will be furnished by the City of Fullerton to any persons (either owners or renters) whose property is acquired by the

Agency in connection with the implementation of the Redevelopment Plan. No person will be required to move from his dwelling unit because of the activities of the Redevelopment Agency in implementing the Redevelopment Plan unless replacement housing is available in areas not generally less desirable in regard to public utilities and public and commercial facilities are available for such person, at rents or prices within the financial means of such person, and the replacement dwelling unit is decent, safe, sanitary, and located so that it is reasonably accessible to the place of employment of the person to be relocated. If such replacement housing is not available and the Agency determines that such housing cannot be made otherwise available, the Agency shall provide such housing.

5.2 Relocation Payments

The Agency is authorized to pay the actual and reasonable moving expenses of any person whose dwelling unit or the land on which such dwelling unit is located is acquired by the Agency. As an alternative to receiving such payments, any person who is displaced from a dwelling unit may receive a moving expense allowance, and an additional dislocation payment as provided in Section 7262 of the Government Code. The Agency is further authorized to financially assist a displaced dwelling owner or renter, meeting the qualifications contained in Section 7263 and 7264 of the Government Code, in order to provide suitable housing for any person displaced from his residence as a result of the Redevelopment Agency's implementation of the Redevelopment Plan.

5.3 Commercial and Industrial Relocation

Existing businesses and industry within the Project Area will be given first priority to acquire parcels made available for business and industrial development through the redevelopment process. Relocation advisory assistance for any business or industry will be made available through the City of Fullerton. In the event that it becomes necessary to relocate a business, and the business is not part of a commercial enterprise having at least one other

establishment engaged in the same or similar business, the Agency is authorized to pay to such business a relocation payment as provided in Section 7262 of the Government Code. The Agency is also authorized to pay any and all actual and reasonable moving expenses of a business if the business is required to relocate as a result of the implementation of the Redevelopment Plan.

6. Methods of Financing the Project

6.1 General Description of the Proposed Financing Methods

Upon adoption of this Plan by the City Council, the Agency is authorized to finance this Project with financial assistance from the City, State of California, United States, property tax increments, interest income, Agency bonds, or any other available source.

Advances and loans for survey and planning and operating capital and for nominal administration of this Project have been, and are to be provided by the City until adequate tax increments or other funds are available or sufficiently assured to repay the loans and to permit borrowing adequate working capital from sources other than the City. The City as it is able will also supply additional assistance through City loans and grants for various public facilities.

As available, gas tax funds from the State of California and the County of Orange will be used for the street system. Some revenue will also accrue to the Project from interest earned on investments of Agency funds.

The Agency is hereby authorized to obtain advances, borrow funds and create indebtedness in carrying out the Redevelopment Plan. The principal and interest on such advances, funds and indebtedness may be paid from tax increments, bonds, or any other funds available to the Agency.

6.2 Agency Bonds

The Agency is authorized to issue bonds if needed and feasible in an amount sufficient to finance the Project. The principal and interest may be payable:

1. Exclusively from the income and revenues of the redevelopment projects financed with the proceeds of the bonds, or with such proceeds together with financial assistance from the State or Federal government in aid of the projects.
2. Exclusively from the income and revenues of certain designated redevelopment projects whether or not they were financed in whole or in part with the proceeds of the bonds.
3. In whole or in part from taxes allocated to, and paid into a special fund of the Agency.
4. From its revenues generally.
5. From any contributions or other financial assistance from the State or Federal government.
6. By any combination of these methods.

6.3 Tax Increments

All taxes levied upon taxable property within the Project each year by or for the benefit of the State of California, County of Orange, City of Fullerton, any district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving this Redevelopment Plan, shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by, or for, each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Redevelopment Project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or

agencies which did not include the territory of the Project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of Orange last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Project on said effective date); and

2. That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of, and interest on, bonds, loans, monies advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Redevelopment Project. Unless and until the total assessed value of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to in paragraph (1) hereof, all of the taxes levied and collected upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies. When said bonds, loans, advances, and indebtedness, if any, and interest thereon, have been paid, all monies, thereafter received from taxes upon the taxable property in the Project, shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

The portion of taxes mentioned in paragraph (2) may be irrevocably pledged for the payment of the principal of, and interest on, the advance of monies, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Redevelopment Agency to finance or refinance, in whole or in part, the Project.

The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project.

The Agency is authorized, but not required, to make payments to taxing agencies in lieu of property tax loss occurring after the adoption of the Plan by the City Council. The affected taxing agency may apply directly to the Redevelopment Agency for such in lieu payments by indicating the loss of revenue and its affects on the agency's program operation.

6.4 Other Loans and Grants

Any other loans, grants or financial assistance from the United States or any other public or private source may be utilized by the Agency as desired and when they become available.

6.5 Bonding Feasibility

Agency bonds shall be issued only when the Agency has determined that the Agency will have funds available to pay the interest and principal on any such bonds when they become due and payable. In any case, where the determination of the availability of funds for the payment of principal and interest on any such bonds cannot be ascertained to the reasonable satisfaction of the Agency from information available through its staff or that of the City, that Agency shall engage financial counsel to advise it whether funds will be available for the repayment of principal and interest on any such bonds.

7. Implementation Provisions

7.1 Proposed Redevelopment Actions

The Agency proposes to eliminate and prevent the spread of blight in the Project Area by:

1. Acquisition of certain real property and property rights;
2. Relocation assistance to displaced non-residential and residential occupants;
3. Demolition or removal of certain buildings and improvements;

4. Installation, construction or reconstruction of streets, utilities, and other public improvements;
5. Disposition of property acquired for uses in accordance with this Plan;
6. Redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan.

7.2 Acquisition of Real Property

The Agency may acquire, but is not required to acquire, all real property located in the Project Area, by gift, devise, exchange, purchase, eminent domain, or any other lawful method.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute the Plan, for the power of eminent domain to be employed by the Agency to acquire property in the Project Area.

The Agency is not authorized to acquire real property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire public property if it is transferred to private ownership before the Agency completes land disposition within the entire Project Area, unless the Agency and the private owner enter into a participation agreement.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than a fee.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner, unless:

1. Such building requires structural alteration, improvement, modernization, or rehabilitation;
2. The site or lot on which the building is situated requires modification in size, shape, or use;
3. It is necessary to impose upon such property any of the standards, restrictions and controls of the Plan and the owner fails or refuses to participate in the Plan by executing a participation agreement.

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means.

7.3 Participation in Redevelopment by Owners and Tenants

Owners of property and business tenants may participate in the redevelopment of property in the Project Area in accordance with the Preference Rules and Participation Rules adopted by the Agency. In general, these rules provide that existing business owners and business tenants within the Project Area be given preference for re-entry into business within the redeveloped Project Area. Owners will be required to submit proof to the Agency of their qualifications and financial ability to carry out their agreement with the Agency.

Each participant not a conforming owner shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, or use the property in conformance with the Plan and to be subject to the provisions hereof. In such agreements, participants who retain real property shall be required to join in the recordation of such documents as are necessary to make the provisions of this Plan applicable to their properties.

In the event an owner or business tenant is unable or refuses to execute a participation agreement acceptable to the Agency to accomplish the purposes of this Plan, the provisions of this Plan shall govern the development, redevelopment and future use of the property involved, as an alternative to development

of the property by the owner or business tenant, and the Agency may acquire any property involved, and sell, lease, or otherwise provide for the development of such property in accordance with this Plan.

The Agency may determine that certain real property within the Project Area presently meets the requirements of this Plan and the owners of such properties will be permitted to remain as conforming owners without a participation agreement with the Agency provided such owners continue to operate and use the real property within the requirements of this Plan.

7.4 Property Disposition

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property.

To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated leases or sales without public bidding.

All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in the Plan. Real property may be conveyed by the Agency to the City or any other public body without charge. Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to insure that development is carried out pursuant to this Plan.

All purchasers or leasees of property shall be made obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as

reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property.

7.5 Purchase and Development Documents: Controls and Covenants to Insure Compliance with the Redevelopment Plan

To provide adequate safeguards to insure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, shall be made subject to the provisions of this Plan by leases, deeds, contracts, agreements, declarations of restrictions, provisions of zoning ordinance, conditional use permits, or other means. Where appropriate, as determined by the Agency, such documents or portions thereof shall be recorded in the office of the Recorder of the County.

The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants, covenants running with the land, rights or reverter, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, sex, color, creed, religion, national origin, or ancestry, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be made expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer or use, occupancy, tenure or enjoyment of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as are required by law.

To the extent now or hereafter permitted by law, the Agency is authorized to pay for all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvement either within or outside the Project Area for itself or for any public body or entity to the extent that such improvement would be of benefit to the Project Area. Further, for those improvements beyond minimum City codes require under this Plan, the Redevelopment Agency may provide compensation for such improvements.

During the period of development in the Project Area, the Agency shall insure that the provisions of this Plan and of other documents formulated pursuant to this Plan are being observed, and that development in the Project Area is proceeding in accordance with development documents and time schedules.

7.6 Review of New Development

The Agency shall review applications for all new development or rehabilitation through the process required under the Community Improvement District (CID) Zone. Under this procedure, site plans, architectural drawings and signs shall be reviewed by the Redevelopment Agency or its designated agent.

This review will be required of all construction where a building permit is to be issued. Consideration shall be given to use, parcel size and shape, setbacks from all property lines, land coverage, building height and bulk, landscaping, access, parking, and signing in the evaluation of proposals.

If the Agency or the City of Fullerton shall, in the future, alter the procedures or the zoning ordinance establishing the CID zone, the Agency shall initiate an alternate reviewing procedure which will accomplish the objective of the evaluation set forth in this section.

7.7 Actions by the City and Community Cooperation

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to insure the continued fulfillment of this Plan. Action by the City shall include, but not be limited to, the following:

1. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way, and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the Project Area. Such action by the City shall include proceedings for the abandonment and relocation by the public utility companies of their operations in public right-of-way as appropriate to carry out this Plan.
2. Institution and completion of proceedings necessary for changes and improvements in publicly-owned, public utilities within or affecting the Project Area.
3. Revision of zoning within the Project Area where necessary to permit the land uses and development authorized by this Plan.
4. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area, throughout the duration of this Plan.
5. Performance of the above, and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
6. The undertaking and completing of any other proceedings necessary to carry out the Project.
7. The City of Fullerton may finance activities of the Agency either through loans or grants. All monies expended by the City on behalf of the Agency shall, unless otherwise established at the time the

expenditure is made, be treated as loans to the Agency which shall be repaid to the City, and bear interest at the rate agreed on by the City and the Agency from the date the loan is made. The obligation of the Agency to repay any such loan or any interest thereon shall be subordinate to any other financial obligations of the Agency.

7.8 Property Management

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment.

8. Enforcement

The administrative enforcement of this Plan or other documents implementing this Plan shall be performed by the City of Fullerton or the Fullerton Redevelopment Agency.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, re-entry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners or by the Agency or the City on their behalf.

9. Duration of the Redevelopment Plan

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective and the provisions of other documents formulated pursuant to this Plan may be made effective for 45 years from the date of adoption of this Plan by the City Council.

10. Procedure for Amendment

This Plan may be amended by means of the procedure established in Sections 33450-33458 of the Redevelopment Law as the same now exists or as hereafter amended, or by any other procedure hereafter established by law.

APPENDIX

ILLUSTRATIVE LIST OF POSSIBLE PROJECTS

FIGURE 3 -- CONTINUED

POSSIBLE PROJECTS

1. Hartford & Rolling Hills Park
2. Extend Rolling Hills Drive and Placentia Avenue
3. Off and on ramps to freeways to relieve Yorba Linda congestion
4. Off ramp directly to Cal State parking lots
5. Sewer capacity increase
6. Signal at Bastanchury and Associated Roads
7. Vista Park
8. Cal State Arboretum
9. Orange Freeway Park
10. "Gemco/Agency" shopping center, access and visibility purchase
11. Garnet Lane traffic signal
12. Topaz-Placentia storm drain
13. Signal at Sapphire Road
14. Sewer capacity increase and minor manhole flow changes
15. Madison Avenue traffic signal
16. Public parking (180± spaces) and mini parks in apartment areas
17. Move apartment buildings purchased for parking to Redevelopment Area 3 (Central Corridor)
18. Bastanchury Channel -- Derek Drive to Associated and Andover extension
19. Signal at Associated Road and Rolling Hills Drive
20. Associated Road street widening adjacent to park
21. Freeway noise buffering and landscaping

Also median island landscaping on Bastanchury Road, State College Blvd., Yorba Linda Blvd., Chapman Avenue and Placentia Avenue

East Fullerton Redevelopment Project

FIGURE 3 -- POSSIBLE PROJECTS TO BE UNDERTAKEN



1000 2000 3000 feet

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